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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/060,057	01/31/2002	Simon Pelly	1509-273	6577

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HEWLETT PACKARD COMPANY
P O BOX 272400, 3404 E. HARMONY ROAD
INTELLECTUAL PROPERTY ADMINISTRATION
FORT COLLINS, CO 80527-2400

EXAMINER

HO, ANDY

ART UNIT PAPER NUMBER

2194

DATE MAILED: 10/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/060,057

Applicant(s)

PELLY ET AL.

Examiner

Andy Ho

Art Unit

2194

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 September 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is in response to the amendment filed 9/14/2005.
2. Claims 1-24 have been examined and are pending in the application.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Admitted Prior Arts (APA) in view of Hausauer U.S Patent No. 5,790,870.

As to claim 1, APA teaches a system having a SCSI-enabled device response to a parity error message (parity error occurs, lines 1-13 page 2) received from a SCSI initiator device over a SCSI bus (communication between host computer and peripheral devices via SCSI interface, 8-13 page 1). However, APA does not teach the process of handling parity error message during data transfer state.

Hausauer teaches a method of operating a device (SCSI interface device 116 and its associated device driver, lines 44-46 column 7 and line 18 column 8, Fig. 3) in response to a parity error message (...when the master of an access becomes aware that a parity error has occurred on its transaction, it is required to inform the processor. The recommended route is for the master to inform its device driver of the error by

generating an interrupt..., lines 42-46 column 7) coupled over a bus (buses 194 and 196 connecting SCSI 116, Fig. 3), comprising:

determining whether said device is in a data transfer state (...the parity error is being detected during the data transaction, however the device is allowed to continue the transaction..., lines 38-46 column 7).

Hausauer does not explicitly teach generating a response message to an initiator device. However, Hausauer teaches (lines 42-46 column 7; lines 59-64 column 9) that after the processor receives the parity error message, it sends out a command to the device in which the previous transferred data needs to be retransmitted. Therefore one of ordinary skill in the art would conclude that the processor's command is a response message to an initiator device since such command allows the data with parity error to be retransmitted. It would have been obvious to apply the teachings of Hausauer to the system of APA because this allows the system to handle parity error message during a data transfer state as disclosed by Hausauer.

As to claim 2, Hausauer further teaches the data transfer operation will recommence from the start of the operation (the whole data is being retransmitted, lines 61-64 column 9). Note the discussion of claim 1 above for the reason of combining references.

As to claim 3, it is a system method of claim 1. Therefore, it is rejected for the same reasons as claim 1 above.

As to claim 4, Hausauer further teaches sending a message instructing recommencing the data transfer phrase after sending said restore data pointer message

(the data is being retransmitted, lines 61-64 column 9). Note the discussion of claim 1 above for the reason of combining references.

As to claim 5, it is a computer device claim of claim 1. Therefore, it is rejected for the same reasons as claim 1 above.

As to claim 6, it is a computer device driver claim of claim 3. Therefore, it is rejected for the same reasons as claim 3 above. Hausauer further teaches the processor being arranged for recognizing that a parity error message has occurred immediately after a data transfer phase (the processor is being informed of the parity error when it occurs during the data transaction, lines 42-46 column 7). Note the discussion of claim 1 above for the reason of combining references.

As to claim 7, it is a computer device driver claim of claim 4. Therefore, it is rejected for the same reasons as claim 4 above.

As to claim 8, it is a computer program of claim 1. Therefore, it is rejected for the same reasons as claim 1 above.

As to claim 9, Hausauer further teaches a CD-ROM (154, Fig. 1); a magnetic data storage medium (110 and 112, Fig. 1).

As to claim 10, it is a computer device claim of claim 1. Therefore, it is rejected for the same reasons as claim 1 above.

As to claim 11, it is a computer device driver claim of claim 6. Therefore, it is rejected for the same reasons as claim 6 above.

As to claim 12, it is a method claim of claims 1 and 3. Therefore, it is rejected for the same reasons as claims 1 and 3 above. Hausauer further teaches while the

peripheral device is so enabled, activating a driver (associated device driver, lines 44-46 column 7 and line 18 column 8, Fig. 3) coupled with the peripheral device so the driver supplies the peripheral device with a signal sequence including a data transfer phase during which the data are transferred between the host computer device and the peripheral device (...the master of an access becomes aware that a parity error has occurred on its transaction, it is required to inform the processor. The recommended route is for the master to inform its device driver of the error by generating an interrupt, among other options..., lines 44-46 column 7), followed by a message phase that includes a message parity error message, the response signal being generated by the peripheral device in response to receipt thereby of the message parity error message (lines 47-63 column 7). Note the discussion of claim 1 above for the reason of combining references.

As to claims 13-14, they are method claims of claim 2. Therefore, they are rejected for the same reasons as claim 2 above.

As to claims 15-17, they are apparatus claims of claims 12-14 above, respectively. Therefore, they are rejected for the same reasons as claims 12-14 above.

As to claims 18-20, they are computer program product claims of claims 12-14 above, respectively. Therefore, they are rejected for the same reasons as claims 12-14 above.

As to claim 21, APA as modified further teaches in combination with the initiator device and the SCSI bus that are coupled with the SCSI device (communication between host computer and peripheral devices via SCSI interface, 8-13 page 1).

As to claims 22-24, they are system claims of claim 21. Therefore, they are rejected for the same reasons as claim 21 above.

Response to Arguments

4. Applicant's arguments filed 9/14/2005 have been fully considered but are moot in view of the new ground(s) rejection.

Applicant's arguments presented issues which required the Examiner to further view the previous rejection. The Examiner conducted a further search regarding the issues mentioned in Applicant's response. Therefore, all arguments regarding the cited references of the previous rejection are moot in view of the new grounds of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andy Ho whose telephone number is (571) 272-3762. A voice mail service is also available for this number. The examiner can normally be reached on Monday – Friday, 8:30 am – 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIM) system. Status information for

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published applications may be obtained from either Private PAIR or' Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2100.

Any response to this action should be mailed to:

Commissioner for Patents

P.O Box 1450


Alexandria, VA 22313-1450

Or fax to:

- AFTER-FINAL faxes must be signed and sent to (571) 273 - 8300.
- OFFICAL faxes must be signed and sent to (571) 273 - 8300.
- NON OFFICAL faxes should not be signed, please send to (571) 273 – 3762

A.H

October 2, 2005


MENG-AL T. AN
SUPERVISORY PATENT EXAMINER
TECHNICAL CENTER 2194